

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MARK MILLIGAN,

Plaintiff,

v.

**Case No.: 2:17-cv-59
JUDGE GEORGE C. SMITH
Magistrate Judge Vascura**

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

This case is before the Court to consider the *Report and Recommendation* issued by the Magistrate Judge on September 14, 2017. (Doc. 8). Plaintiff has failed to timely effect service of process and failed to respond to the Show Cause Order. Additionally, the time for filing objections to the *Report and Recommendation* has passed, and no objections have been filed to the *Report and Recommendation*. Therefore, the Court **ADOPTS AND AFFIRMS** the *Report and Recommendation*. Plaintiff's Complaint is hereby dismissed without prejudice pursuant to Rule 4(m) for failure to timely effect service of process.

The Clerk shall remove Document 8 from the Court's pending motions list and close this case.

IT IS SO ORDERED.

/s/ George C. Smith
**GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT**